

Amendments to the Drawings:

The drawing sheets attached in connection with the above-identified application containing Figures 2, 4 and 5 are being presented as a new formal drawing sheets to be substituted for the previously submitted drawing sheets. The drawing Figures 2, 4 and 5 have been amended. Appended to this amendment is an annotated copy of the previous drawing sheets which have been marked to show changes presented in the replacement sheets of the drawing.

The specific changes which have been made to Figure 2, 4 and 5:

Figure 2: Change label S1 to P1, change label S2 to P2, change label S3 to P3.

Figure 4: Change label S1 to P1, change label S2 to P2, change label S3 to P3.

Figure 5: Add label S11 to the box right below box S10 in that figure.

REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Status of Claims:

No claims are currently being cancelled.

Claims 1, 5, 8, 10, 11 and 16 are currently being amended.

No claims are currently being added.

This amendment amends claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claims remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-16 remain pending in this application.

Objection to the Drawings:

In the Office Action, the drawings were objected to for the reasons set forth on pages 2 and 3 of the Office Action. By way of this amendment and reply, Figures 2, 4 and 5 have been amended to address these objections to the drawings, and the specification has also been amended to address these objections to the drawings.

In particular, labels S1, S2 and S3 in Figures 2 and 4 have been changed to P1, P2 and P3, and the specification has been amended accordingly. Figure 5 has been amended to include an S11 label.

With respect to the objection to the drawings made in numbered paragraph 3) of the Office Action, the specification has been amended to refer to labels 34, 55, 105, S9 and S12. With respect to label 9, that label is already mentioned on page 6, lines 13-14 of the specification.

Accordingly, by way of the amendments made to the specification and the drawings, the objection to the drawings has been overcome.

Objection to the Specification:

In the Office Action, the specification was objected to because of minor informalities noted on page 4 of the Office Action. By way of this amendment and reply, the specification has been amended to correct these informalities.

Claims Rejections – Prior Art:

In the Office Action, claims 1-16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication No. 2002/0018227 to Asahi in view of U.S. Patent No. 5,580,045 to Matsumoto et al. These rejections are traversed with respect to presently pending claims 1-16, for at least the reasons given below.

The Office Action correctly recognizes that Asahi does not disclose a control for a second copy mode in which when a second key is operated, a read section and a print section are immediately operated without moving each of the trays. However, the Office Action incorrectly asserts that Asahi discloses that the system could be applied to a fixed-bin type sheet processing apparatus, and that Matsumoto teaches the above-mentioned features lacking in Asahi.

In Matsumoto, when discharge of paper has been completed, a tray is put back to its home position. See column 12, lines 7-53 of Matsumoto, for example.

In contrast to the disclosure in Matsumoto, according to the presently claimed invention, the trays are not moved after a tray has received the paper discharged from the discharge port.

Further according to the presently claimed invention, when a key is operated, a read section and a print section are immediately operated irrespective of the positions of the trays and without moving each of the trays, and the trays are not moved after the tray has received the paper discharged from the discharge port.

It is also noted that Asahi's disclosure of a fixed-bin type sheet processing apparatus cannot accomplish the claimed features in which the tray for the copy mode is moved to the position corresponding to the discharge port and the read section and the print section are operated after completion of trays motion, as recited in the presently pending independent claims under rejection.

Since Asahi does not rectify the above-mentioned shortcomings of Matsumoto, presently pending independent claims 1, 8 and 11 are patentable over the combination of those two references.

The presently pending dependent claims under rejection are patentable due to their dependencies on either base claim 1, 8 or 11, as well as for the specific features recited in those dependent claims.

For example, dependent claims 5, 10 and 16 recite a control in a facsimile mode in which if the tray for the facsimile mode is set at the position corresponding to the discharge port when an image is received by the receiving section, the print section is immediately operated and the trays are not moved after the tray for the facsimile mode has received the paper discharged from the discharge port, or and if the tray for the facsimile mode is not set at the position corresponding to the discharge port when the image is received by the receiving section, the tray for the facsimile mode is moved to the position corresponding to the discharge port and the print section is operated after completion of trays motion and the trays are not moved after the tray for the facsimile mode has received the paper discharged from the discharge port.

Such features as recited in presently pending dependent claims 5, 10 and 16 are not taught or suggested by the combination of Asahi and Matsumoto, which instead teach a movement of a tray in a facsimile mode after the tray has received a paper discharged from a discharge port.

Conclusion:

Since all of the issues raised in the Office Action have been addressed in this Amendment and Reply, Applicants believe that the present application is now in condition for allowance, and an early indication of allowance is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorize payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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ANNOTATED SHEETS SHOWING CHANGE(S)

Title: IMAGE FORMING APPARATUS AND METHOD OF CONTROLLING
THE APPARATUS
Inventor(s): Tatsumi MATSUMOTO
Appl. No.: 09/955,088

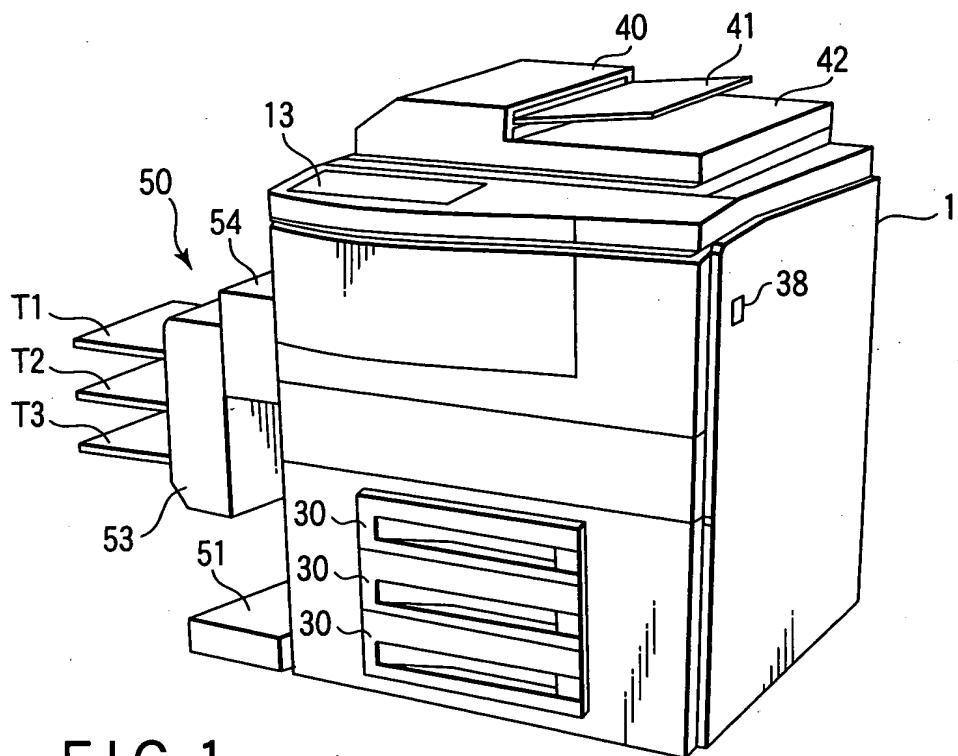


FIG. 1

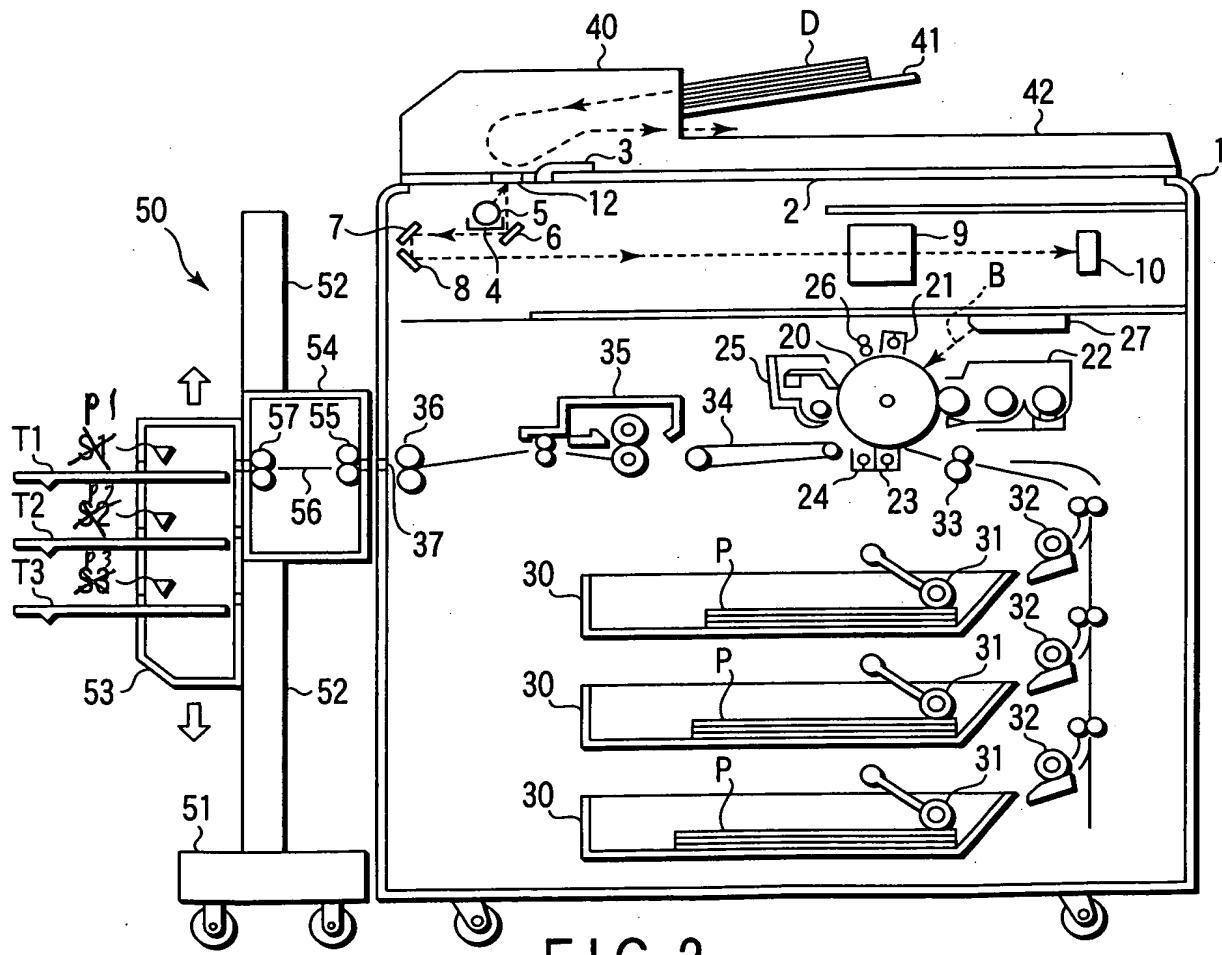


FIG. 2

**Title: IMAGE FORMING APPARATUS AND METHOD OF CONTROLLING
THE APPARATUS**
Inventor(s): **Tatsumi MATSUMOTO**
Appl. No.: **09/955,088**

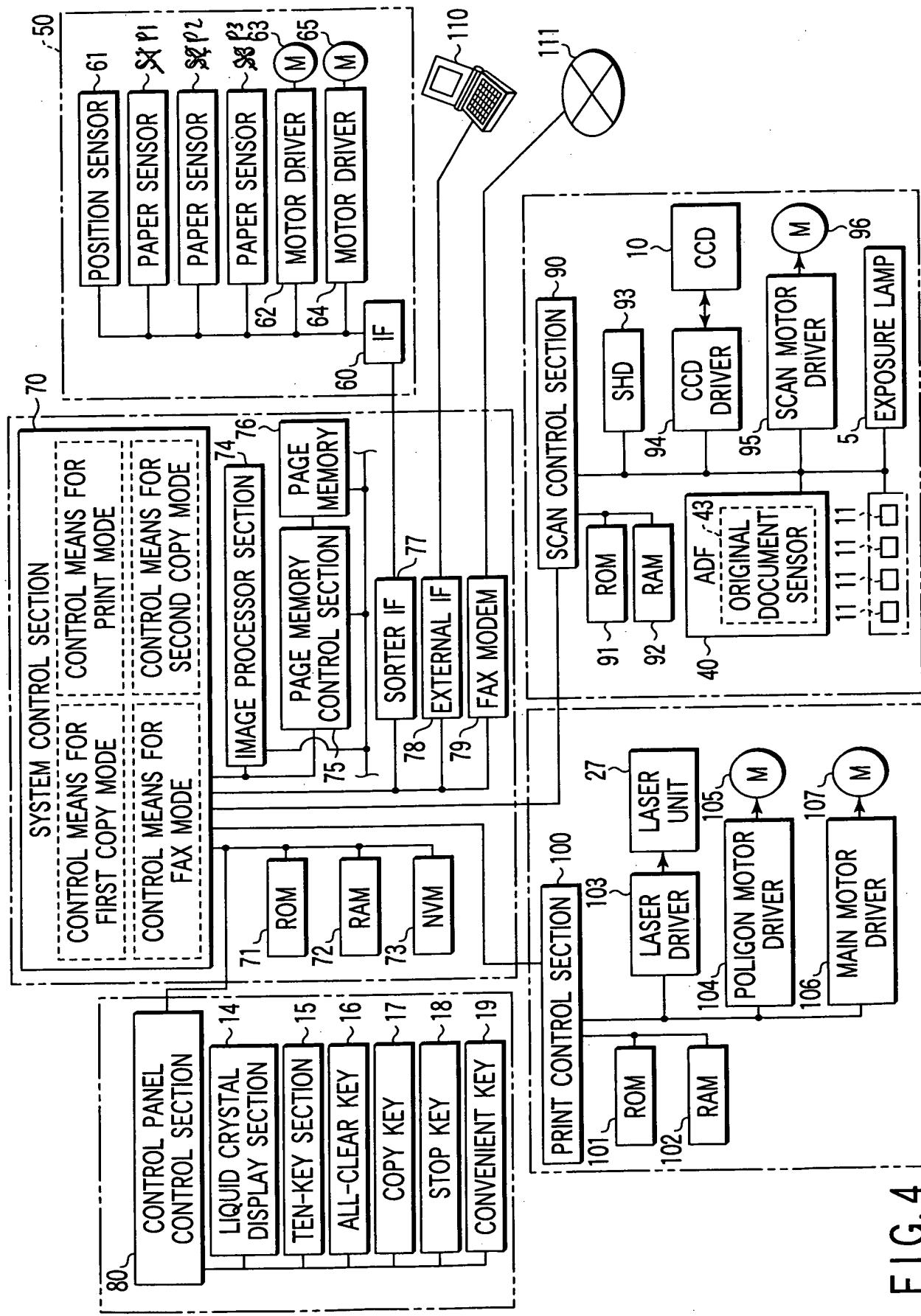


FIG. 4

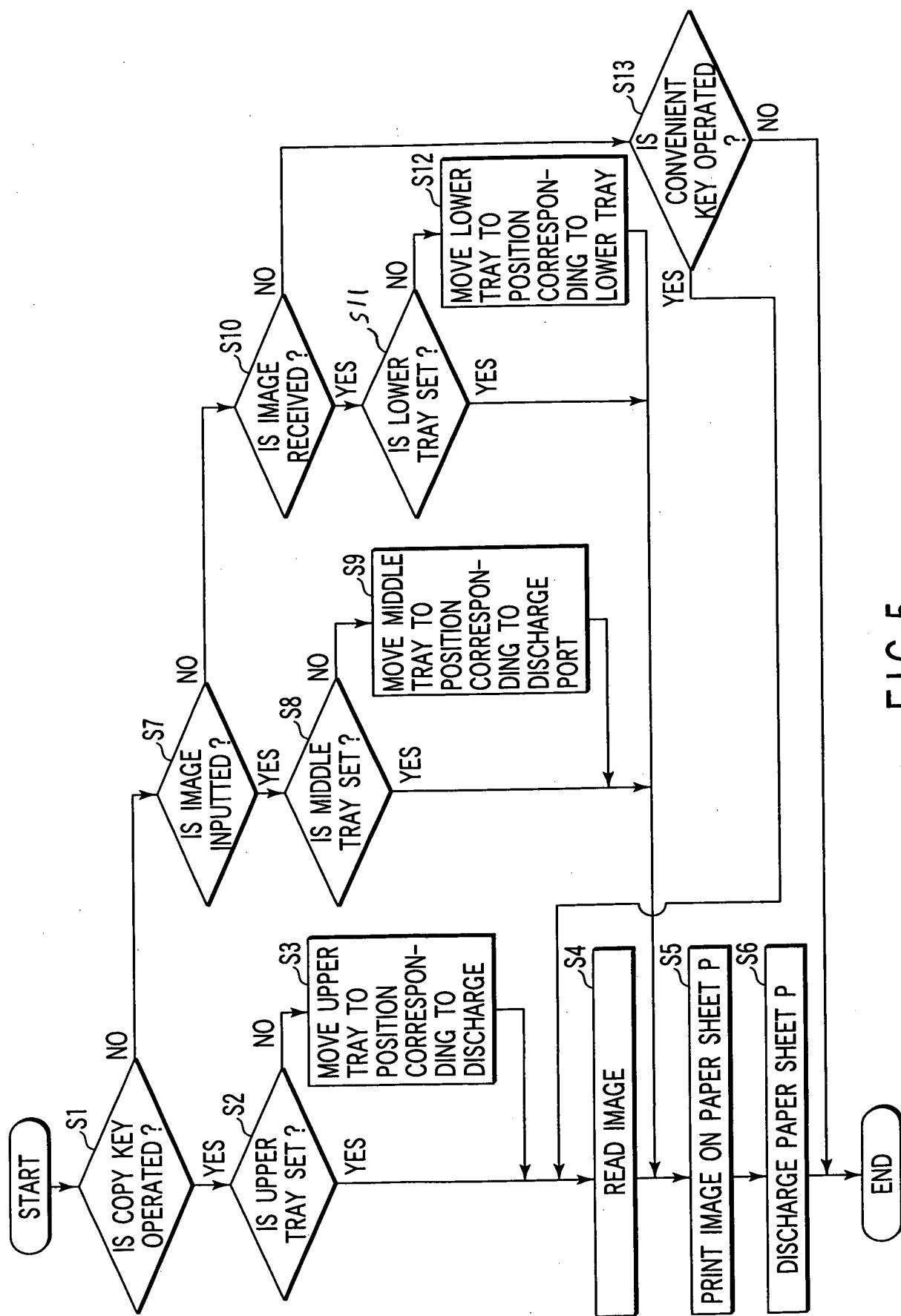


FIG. 5